

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DIMITRI VALLERVEICH ) Civil No. 07cv2033-L(NLS)  
TATARINOV, )  
Petitioner, ) **ORDER DENYING PETITIONER'S**  
v. ) **APPLICATION FOR CERTIFICATE**  
SUPERIOR COURT OF THE STATE OF ) **OF APPEALABILITY**  
CALIFORNIA, COUNTY OF SAN )  
DIEGO; *et al.*, )  
Respondents. )

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Petitioner Dimitri Vallerveich Tatarinov, represented by counsel, filed a Consolidated Petition seeking habeas corpus relief under 28 U.S.C. § 2241 ("Petition"). The Petition was denied by order filed July 10, 2008. On August 5, 2008, Petitioner filed a Notice of Appeal and an Application for a Certificate of Appealability. A certificate of appealability is not required for appeals from denial of a petition under 28 U.S.C. § 2241. *See Forde v. Parole Com'n*, 114 F.3d 878 (9th Cir. 1997). Accordingly, Petitioner's Application for a Certificate of Appealability is denied as unnecessary.

**IT IS SO ORDERED.**

DATED: August 6, 2008

  
M. James Lorenz  
United States District Court Judge

1 COPY TO:

2 HON. NITA L. STORMES  
3 UNITED STATES MAGISTRATE JUDGE

4 ALL PARTIES/COUNSEL

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